

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION

Google, Inc.)	
<i>Plaintiff</i>)	
)	
v.)	
)	No. 3:14cv981 HTW-LRA
)	
)	
Jim Hood, Attorney General of the)	ORDER ON AGREED STAY,
State of Mississippi, in his official)	BRIEFING SCHEDULE AND
capacity)	PRELIMINARY INJUNCTION
<i>Defendant</i>)	HEARING
)	

Upon consideration of Plaintiff Google Inc.'s Motion, and the arguments, agreements and representations of the parties, the Court orders as follows:

WHEREAS Plaintiff Google Inc. filed suit on December 19, 2014 against the Defendant, Jim Hood, Attorney General for the State of Mississippi, in his official capacity;

WHEREAS Plaintiff Google Inc. moved on December 19, 2014 for a temporary restraining order and a preliminary injunction on the ground that it faced irreparable harm if the Defendant either (a) enforced the Administrative Subpoena and Subpoena Duces Tecum issued by the Defendant and served on Plaintiff on October 27, 2014 (the "Subpoena"); or (b) brought a civil or criminal charge against Plaintiff (or any subsidiary thereof) under Mississippi law. Plaintiff submitted in support of its motion a memorandum of law and four declarations, along with sixty-one exhibits;

WHEREAS on December 19, 2014, the Court scheduled a hearing on the Plaintiff's motion for a temporary restraining order for December 22, 2014 at 4 p.m.;

WHEREAS the parties congregated in the courtroom of the undersigned on December 22, 2014, for a hearing on this matter.

WHEREAS the Court had the benefit of a brief of case authorities and facts submitted by the Plaintiff, but no brief of case authorities and facts submitted by the Defendant owing to the short time Defendant had to submit such between the time of Plaintiff's request for a temporary restraining order and the date of the hearing, although the Defendant announced the Defendant's readiness to proceed to oral argument.

WHEREAS this Court desired a written submission from Defendant and oral arguments by the parties thereafter, this Court sought an agreement between the parties on a proper course of action.

WHEREAS the Parties represented to the Court at the hearing on December 22, 2014, that the Parties agreed to a stay of this case and to maintain the status quo until March 6, 2015;

WHEREAS the Defendant represented to the Court that the deadline for Google to respond to the "Administrative Subpoena and Subpoena Duces Tecum" issued on October 21, 2014 is extended until March 6, 2015, a representation Defendant first had offered to Plaintiff in a letter dated December 22, 2014. Defendant at the hearing also agreed that during the period of the stay, the Defendant would not bring civil or criminal charges against Plaintiff (or any

subsidiary thereof), a modification of Defendant's earlier position that Defendant had no "present" intention to bring a civil or criminal charge against Plaintiff under Mississippi law for making accessible third-party content to Internet users.

WHEREAS the Plaintiff accepted these representations of the Defendant and agreed to a stay of the case and to maintain the status quo until March 6, 2015, as set forth herein;

WHEREAS based on the representations and agreement of the Plaintiff and the Defendant, the Court did not conduct a hearing on the merits of the Plaintiff's motion for temporary restraining order;

WHEREAS the Court accepted the representations and agreement of the Plaintiff and Defendant as set forth herein during the December 22, 2014, hearing;

It is hereby:

ORDERED that, based on the representations and agreement of the Plaintiff and the Defendant, this case is stayed and the status quo shall be maintained until March 6, 2015, during which time the Defendant has agreed not to enforce the Administrative Subpoena and Subpoena Duces Tecum or bring civil or criminal charges against the Plaintiff ;

ORDERED that the hearing on the Plaintiff's motion for a preliminary injunction shall be held at 9:30 a.m. on Friday, February 13, 2015, and, if necessary, at 9:30 a.m. on Saturday, February 14, 2015;

ORDERED that the Defendant's brief in opposition to the Plaintiff's motion for preliminary injunction, including any motions to dismiss on jurisdictional

grounds, shall be filed by January 12, 2015, and that the Plaintiff's reply brief shall be filed by January 22, 2015;

ORDERED that this Order shall be filed with the clerk's office and entered into the record in this matter.

IT IS SO ORDERED

DATED: December 23, 2014

s/ HENRY T. WINGATE
UNITED STATES DISTRICT JUDGE